

## **REMARKS/ARGUMENTS**

The Office Action dated November 2, 2007 has been carefully considered.

Claims 11-40 are pending in the application, with claims 11 and 21 being the only independent claims. Claims 16, 19, 25 and 28 have been withdrawn from further consideration. Claim 21 has been amended to remove informality without narrowing the scope of the claim or any element contained therein. Reconsideration of the application in view of the following remarks is respectfully requested.

### **Rejection of the Claims Over the Prior Art**

Claims 21-24, 26, 27, 29 and 33-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,743,375 (*Shyr*).

Claims 11-15, 17, 18 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shyr* in view of U.S. Patent No. 5,655,425 (*Ruohio*).

Claims 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shyr* in view of U.S. Patent No. 5,060,780 (*Santandrea*).

Claims 37 and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shyr*.

Claims 39 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shyr* in view of *Santandrea*.

### **Allowability of Independent Claim 21**

Independent claim 21 recites, at least, “an elevating roll assembly positioned ... between the driving and tail pulleys.” (Emphasis added.) Applicant respectfully submits that the above claim features are not disclosed or taught in the cited portions of *Shyr*.

First, applicant is unclear as to how the Office Action interprets the side-roller-chain 71,

72 taught in *Shyr*. In Paragraphs 9 and 10, the Office Action appears to interpret *Shyr*'s side-roller-chain 71, 72 as the "conveyor belt or chain" recited in claim 21. In the last sub-paragraph on page 2 of the Office Action, however, the Office Action seems to consider the side-roller-chain 72 and one of its components, roller 76, as the "elevating roll assembly" recited in claim 21. Applicant respectfully requests that clarification be made in the next Office Action.

Without admitting or disputing any interpretation made in the Office Action, applicant respectfully submits that *Shyr* does not teach "an elevating roll assembly positioned ... between the driving and tail pulleys," as is recited in independent claim 21.

In *Shyr*, the side-roller-chains 71, 72 are lifted by eccentric sleeves 61-64 (*see, e.g.*, col. 3, ll. 27-28 and Fig. 4). As Fig. 4 of *Shyr* shows, such eccentric sleeves 61, 62 are co-axial with their respective sprockets 34, 35, around which the side-roller-chain 71 winds. *Shyr*'s lifting mechanism thus can not be considered to be an "elevating roll assembly" that is positioned "between the driving and tail pulleys," as expressly recited in independent claim 21. Therefore, *Shyr* does not teach the above features recited in independent claim 21.

In view of these differences, withdrawal of the 35 U.S.C. § 102(b) rejection of claim 21 is respectfully requested.

#### Allowability of Independent Claim 11

Independent claim 11 recites, at least, "forming onto the top surface of the conveyor belt or chain ... an elevation." (Emphasis added.) Such elevation is capable of "separat[ing] the rolls from each other when the rolls of the roll set are transported over the elevation." Applicant respectfully submits that the above claim features are not taught in the cited portions of *Shyr*.

Applicant is unclear as to how the Office Action interprets *Shyr* in connection with the method recited in independent claim 11. In the third sub-paragraph on page 4, the Office Action

generally refers to Figure 8 of *Shyr* and states that it teaches the above claim features without identifying which element in *Shyr* constitutes “an elevation” as recited in independent claim 11. Applicant respectfully requests that the next Office Action provide adequate specificity as to where in *Shyr* each and every claim feature is taught.

Regardless of the generalization put forth in the Office Action, applicant submits that *Shyr* does not teach an elevation formed “onto the top surface of the conveyor belt or chain” as recited in independent claim 11. As the Office Action interprets *Shyr*’s conveyer 1 or 2 to be the conveyor belt or chain recited in claim 11 (*see*, second sub-paragraph on page 4), neither the Fig. 8 structure nor any element thereof can be formed “onto the top surface” of such conveyer 1 or 2. Rather, *Shyr* discloses a separate element, i.e., the transfer apparatus, with a surface separate from the surface of conveyer 1 or 2. Therefore, *Shyr* does not teach the above features in independent claim 11.

*Ruohio* on the other hand is cited in the Office Action as disclosing transporting rolls in a roll set and does not supply what is missing from *Shyr*. Therefore, independent claim 11 is allowable over the cited art.

In view of these differences, withdrawal of the 35 U.S.C. § 103(a) rejection of claim 11 is respectfully requested.

#### Allowability of Claims 12-15, 17, 18, 20, 22-24, 26, 27 and 29-40

Dependent claims 12-15, 17, 18 and 20 are allowable for at least the same reasons that independent claim 11 is allowable, as well as for the additional limitations recited therein.

Similarly, dependent claims 22-24, 26, 27 and 29-40 are allowable for at least the same reasons that independent claim 21 is allowable, as well as for the additional limitations recited therein.

Rejoinder of Claims 16, 19, 25 and 28

Claim 11 is generic to claims 16 and 19 and claim 21 is generic to claims 25 and 28. Therefore, upon allowance of claims 11 and 21, consideration of claims 16, 19, 25 and 28 is respectfully requested.


**Conclusion**

In view of all of the above, the application is now deemed to be in condition for allowance and notice to that effect is respectfully solicited.

Respectfully submitted,

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Dated: March 3, 2008